

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF VENTURA  
VENTURA**

**MINUTE ORDER**

DATE: 12/06/2013

TIME: 09:30:00 AM

DEPT: 21

Judicial Officer Presiding: Tari Cody  
CLERK: Tania Magdaleno  
REPORTER/ERM: Lisa Lemus

CASE NO: **56-2011-00408712-CU-CO-VTA**

CASE TITLE: **North Kern Water Storage District vs City of Bakersfield**

CASE CATEGORY: Civil - Unlimited      CASE TYPE: Contract - Other

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**EVENT TYPE:** Court Trial (LC)

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**APPEARANCES**

SCOTT K KUNEY, counsel, present for Plaintiff(s)  
DOUGLAS GOSLING, counsel, present for Plaintiff(s)  
COLIN PEARCE, counsel, present for Defendant(s)  
JOLIE-ANNE S. ANSLEY, counsel, present for Defendant(s)

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11th Day of Trial

At 9:41 a.m., court convenes in this matter with all parties present as previously indicated.

Stephen Cullen, previously sworn, resumes the stand for further cross examination by Mr. KuneY on behalf of Plaintiff.

Exhibits are identified on a separate list attached.

Plaintiff's exhibit no. 337 and 338 are marked for identification.

Redirect examination of Stephen Cullen commences by Mr. Pearce on behalf of Defendant.

At 11:00 a.m. Court is in recess.

At 11:19 a.m. Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

Stephen Cullen, previously sworn, resumes the stand for further redirect examination by Mr. Pearce on behalf of Defendant.

Witness Stephen Cullen is excused.

Defendant's witness Kenneth Schwarz is sworn.

Direct examination of Kenneth Schwarz commences by Mr. Pearce on behalf of Defendant.

Defendant's exhibit no. 1046 is marked for identification.

At 11:54 a.m. Court is in recess.

At 1:34 p.m. Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

Kenneth Schwarz, previously sworn, resumes the stand for further direct examination by Mr. Pearce on behalf of Defendant.

At 2:58 p.m. Court is in recess.

At 3:19 p.m. Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

Kenneth Schwarz, previously sworn, resumes the stand for further direct examination by Mr. Pearce on behalf of Defendant.

Cross examination of Kenneth Schwarz commences by Mr. Kuney on behalf of Plaintiff.

At 4:26 p.m., off the record, court and counsel discuss scheduling issues.

At 4:28 p.m., on the record, Motion for Judgment is Denied by the Court.

At 4:29 p.m. Court is adjourned until 12/10/2013 at 09:30 AM in Department 21.